

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RAYFORD MACK, JR.,
)
)
Plaintiff,
)
)
v.
)
STATE OF ALABAMA, *et al.*,
)
Defendants.
)

CIVIL ACTION NO.:
07 cv 465-MHT

AMENDED
REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on July 16, 2007, by telephone and was attended by:

A. Appear on behalf of Plaintiff:

Russell W. Adams, Esq.
WIGGINS CHILDS QUINN & PANTAZIS, P.C.
The Kress Building
301 19th Street North
Birmingham, AL 35203-3204
(205) 314-0500

B. Appear on behalf of Defendants:

State of Alabama, Governor Don Siegleman and State Personnel Department:
Alice Ann Byrne, Esq.
STATE PERSONNEL DEPARTMENT
64 North Union Street
Folsom Administrative Bldg.
Suite 316
Montgomery, Alabama 36130
(334) 242-3451

Department of Human Resources and Bill Fuller, Commissioner:

Warren B. Lightfoot, Jr., Esq.
John B. Holmes, III, Esq.
Abigail H. Avery, Esq.
MAYNARD COOPER & GALE, PC
1901 Sixth Avenue North
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Sharon F. Ficquette, Esq.
DEPT. OF HUMAN RESOURCES
Legal Office
P. O. Box 304000
Montgomery, AL 36130-4000
(334) 242-9330

2. **Initial Disclosures.** The parties will exchange by **September 15, 2007**, the information required by Fed.R.Civ.P. 26(a)(1).

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: The Plaintiff's allegations and the Defendant's defenses.

All discovery shall be commenced in time to be completed by **April 10, 2009**.

Interrogatories: Maximum of 25 Interrogatories by each party, including sub-parts, with responses due with 30 days after service.

Requests for Production: Maximum of 50 Requests for Production by each party, including sub-parts, with responses due within 30 days after service.

Requests for Admissions: Maximum of 15 Requests for Admission by each party to any other party, with responses due 30 days after service.

Depositions: Maximum of ten depositions by the Plaintiff and ten by the Defendant.

Each deposition limited to a maximum of seven hours unless extended by agreement of parties.

Expert Witnesses: The parties shall comply with the following deadlines in regard to experts under Rule 26(a)(2):

Plaintiff's experts and expert reports will be disclosed by **July 15, 2008**.
Defendant's experts and expert reports will be disclosed by **August 12, 2008**.

Supplementations: Supplementations under Rule 26(e) due within 30 days of learning of the need to supplement, but, in no event, less than 30 days before the close of discovery.

4. Other Items.

A. The Plaintiff shall have until **May 21, 2008**, to join any additional parties and to amend the pleadings.

B. The Defendant shall have until **June 20, 2008**, to join any additional parties and to amend the pleadings.

C. The parties do not request a conference with the Court before entry of the Scheduling Order.

D. The parties request a pretrial conference 30 days after a ruling on dispositive motions or 30 days after the deadline for filing dispositive motions, whichever is later.

E. All potentially dispositive motions must be filed by **January 6, 2009**.

F. Settlement cannot be evaluated before the completion of discovery.

G. Final lists of trial witnesses and exhibits under Rule 26(a)(3) should be due from the Plaintiff 30 days prior to trial and from the Defendant 30 days prior to trial.

H. Parties should have ten days after service of final lists of witnesses and exhibits to list objections under Rule(a)(3).

I. The case should be ready for trial by **May 11, 2009**. Trial is expected to last three days.

Respectfully submitted this 16th day of July, 2007.

/s/ Russell W. Adams
RUSSELL W. ADAMS (ASB 3760-A62R)
Attorney for Plaintiff

Address of Counsel:
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/s/ Alice Ann Byrne
ALICE ANN BYRNE (BYR 015)
Attorney for Defendants
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/s/ Warren B. Lightfoot, Jr.
WARREN B. LIGHTFOOT, JR. (LIG 003)
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/s/ Sharon F. Ficquette

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